

PTO/US 44 (07-05)  
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<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>		Docket Number (Optional) 213467-00231
First named inventor: <u>John Katten</u> Application No.: <u>03941371</u> An Unit: <u>3034</u> Filed: <u>August 28, 2001</u> Examiner: <u>Fred, Eric M.</u> Title: <u>Power Modulation Power Spreading used to Reduce RF or Microwave Transmitter Output Power Spur Levels</u>		
Agency: Office of Patents Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX (571) 273-8300		
NOTE: If information or assistance is needed in completing this form, please contact Patents Information at (571) 272-3282.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extension of time actually obtained.		
<b>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</b>		
NOTE: A grantable petition requires the following items: (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional.		
1. Petition fee <input type="checkbox"/> Small entry fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. <input checked="" type="checkbox"/> Other than small entry - fee \$ <u>1,500.00</u> (37 CFR 1.17(m))		
2. Reply and/or fee A. The reply and/or fee to the above-noted Office action in the form of <u>Amendment</u> (specify type of reply): <input type="checkbox"/> has been filed previously on _____ <input checked="" type="checkbox"/> is enclosed herewith. B. The issue fee and publication fee (if applicable) of \$ _____ <input type="checkbox"/> has been paid previously on _____ <input checked="" type="checkbox"/> is enclosed herewith.		

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The contents of information is required by 37 CFR 1.137(d). The information is required to obtain or retain a benefit by the public which is to be used by the USPTO to prepare an application. Confidentiality is governed by 35 U.S.C. 102 and 37 CFR 1.11 and 1.14. The contents of information is required to file a new or continuing, including patenting, preparing, and submitting the complete application form to the USPTO. This will vary depending upon the individual case. Any contents on the amount of time for preparing or completing the form must be submitted for processing the petition should be sent to the Chief Information Officer U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/patent application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO-92/03).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable position under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a position under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (I)(C) and (D)).]

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John S. Paragant  
Signature

October 10, 2005

Date

John S. Paragant  
Typed or printed name

31.051

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Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

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Juella A. Wiggins  
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Juella A. Wiggins  
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